

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**U.S. COMMODITY FUTURES TRADING
COMMISSION,**

Plaintiff,

v.

MONEX,

Defendants.

Hon. _____

Case No. 1:17-cv-06416

**APPENDIX OF EXHIBITS TO PLAINTIFF'S MOTION
FOR PRELIMINARY INJUNCTION**

VOLUME I

EXHIBIT	DOCUMENT DESCRIPTION
CFTC Declarations	
1	DECLARATION OF CFTC INVESTIGATOR JEFFREY GOMBERG
1	Monex Management Presentation (May 14, 2014)
2	March 26, 2013 Private Placement Memorandum for Concord Funding Company, L.L.C.
3	California Secretary of State Records for Monex Deposit Company
4	California Secretary of State Records for Monex Credit Company
5	California Secretary of State Records for Newport Services Corporation
6	December 22, 2016 Private Placement Memorandum for Scala Funding Company, L.L.C.
7	Signature Cards for Monex and Affiliate Bank Accounts
8	2014 California Telephonic Seller Registration Application Form
9	NFA Basic Records for Monex International, Ltd.
10	NFA Basic Records for Monex Trading Corporation
11	<i>SEC v. Monex International LTD and Louis E. Carabini, Jr.</i> , 1975 U.S. Dist. LEXIS 16495, No. CV 74-3634-HF, Final Judgment of Permanent Injunction (C.D. Cal., Aug. 20, 1975)

EXHIBIT	DOCUMENT DESCRIPTION
12	<i>State of New York v. Monex International, LTD. and Louis E. Carabini</i> , No. 41439/74, Order of Permanent Injunction (Supreme Court, New York Cty., May 1, 1979)
13	Monex Atlas Account Brochure
14	Monex Atlas Account Agreements
15	Monex List of Margin Requirements (Revised 12/09/15)
16	Monex Description of Financing Structure dated October 7, 2011
17	Monex Account Representative Desktop Guide
18	Monex Trade Ticket Guide for Shorts and Cross Hedges
19	Monex Leveraged Trade Ticket Instructions and Sample
20	Monex Atlas Compliance Manual
21	Sample Commodity Title Transfer Notice
22	May 2, 2016 Monex-BNY-Brink's Storage Agreement
23	June 29, 2009 Monex-Bank of New York-DDSC Concord Depository Agreement
24	<i>Federal Trade Commission v. Unimet Credit Corp., et al.</i> , Civ. No. 92-5759 RSWL, Final Judgment and Consent Order (C.D. Cal. Dec. 20, 1994)
25	MCC Historical Loan Performance Summary (Oct. 7, 2011)
26	Training File for Account Representative Team Leader Sean Brazney
27	February 7, 2014 Sales Memorandum
28	Monex "Blueprint for Success" Sales Training Guide
29	Transcript of Monex Sales Training Video (1)
30	Transcript of Monex Sales Training Video (2)
31	Concord Amended and Restated Servicing Agreement (July 12, 2012)
32	Oct. 21, 2011 e-mail from M. Carabini to B. Jenkins (Monex CFO) re: Atlas operations
33	Oct. 27, 2011 e-mail from B. Jenkins to Goldman Sachs re: Atlas operations
34	July 18, 2011 e-mail from C. Flannery (Piper Jaffray) to B. Jenkins re: Monex/Concord
35	Scala Closing Memorandum
36	April 20, 2012 Monex-Wells Fargo Credit Agreement
37	April 20, 2012 Monex-Wells Fargo-DDSC Depository Agreement
38	F&M September 3, 2013 Monex Loan Approval Memo
39	F&M Loan Approval File
40	Nov. 21, 2012 Monex-Farmers Loan Security Agreement
41	June 17, 2016 Memo re: Commodity Audit of Monex Collateral as of May 31, 2016
42	Monex Account Representative Guide — Listing of Banks and Depositories
43	June 18, 2001 Monex-DDSC Depository Agreement with 2013 Addendum
44	September 6, 1985 Monex-F&M Depository Agreement
45	June 19, 2013 Monex-F&M Depository and Safekeeping Agreement
46	July 31, 2014 Monex-Brink's Storage Agreement
47	February 16, 2015 Monex-Brink's Storage Agreement
48	May 2, 2016 Monex-BNY-Brink's Storage Agreement

EXHIBIT	DOCUMENT DESCRIPTION
49	2011 Description of Monex Operations
50	Sample Monthly Customer Account Statement
51	Sample Trade Confirmation
52	Sample End-of Year Customer Account Summary
53	Sample Customer Position Report (R017)
54	Sample Position Report Summary (R015)
55	Sample Customer Unrealized Loss Report (R495)
56	Sample Equity Calls Report (R715)
57	Sample Margin Call report (R723)
58	Sample Forced Liquidations Report (R722)
59	Sample Monthly Customer Index Report For Month End (R493)
60	Sample Customer Market Value Report For Month End (R494)
61	Sample Sales Rep "Awards Report" (R162)
62	Sample MTD Account Representative Production Report (R477M)
63	Monex Data Summaries (Group Exhibit)
2	DECLARATION OF CFTC COMPUTER FORENSICS MANAGER JEREMEY CHRISTIANSON
A	Excerpts of pages from the <u>www.monex.com</u> website as captured on November 1, 2013
B	Excerpts of pages from the <u>www.monex.com</u> website as captured on August 22, 2017
C	"Whois" information search for the domain registrant for the <u>www.monex.com</u> website
Expert Report – Analysis of Atlas Trading Account	
3	EXPERT REPORT OF RUTTER GROUP
A	Curriculum Vitae of Robert D. Selvaggio PhD
B	List of Materials Reviewed
C	Risk/Return Profiles of the Ten Sample Trades